

UNITED STATES DEPARTMENT OF AGRICULTURE
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



OFFICIAL WARNING
VIOLATION OF FEDERAL REGULATIONS

CASE NUMBER:
PR130005-AC

VIOLATOR:
University of Puerto Rico

ADDRESS (*Street, City, State, ZIP Code*):
San Juan, PR 00936

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

Date of Violation: November 15, 2011

9 C.F.R. § 2.131(b)(1) Handling of animals.

(b)(1) Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

University of Puerto Rico, Medical Science Campus, Caribbean Primate Research Center (CPRC) failed to handle nonhuman primates (NHP) in as careful a manner as possible. On the above date, APHIS noted a report which stated 28 non-human primates escaped from corral 163 on September 2, 2011. 27 were immediately returned to their corral. 1 was found on September 4, 2011 living with another colony. The incident was caused by an employee leaving the gate unlocked.

Date of Violation: May 23, 2012

9 C.F.R. § 2.131(b)(1) Handling of animals.

(b)(1) Handling of all animals shall be done as expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

University of Puerto Rico, Medical Science Campus, Caribbean Primate Research Center (CPRC) failed to handle nonhuman primates (NHP) in as careful a manner as possible. On the above date, APHIS observed a padlock and chain used to secure the gate of a primary enclosure, inside the primary enclosure due to having been left unlocked and unattended by an employee.

Date of Violation: May 23, 2012

9 C.F.R. § 3.75(c)(1)(i) Housing facilities, general.

(c) Surfaces—(1) General requirements.

The surfaces of housing facilities—including perches, shelves, swings, boxes, houses, dens, and other furniture-type fixtures or objects within the facility— must be constructed

in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Furniture-type fixtures or objects must be sturdily constructed and must be strong enough to provide for the safe activity and welfare of nonhuman primates. Floors may be made of dirt, absorbent bedding, sand, gravel, grass, or other similar material that can be readily cleaned, or can be removed or replaced whenever cleaning does not eliminate odors, diseases, pests, insects, or vermin. Any surfaces that come in contact with nonhuman primates must:

(i) Be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface;

CPRC failed to maintain surfaces inside primary enclosures free from excessive rust. On the above date, APHIS noted multiple sliding doors and bolts holding enclosure partitions together to be excessively rusted.

Date of Violation: May 23, 2012

9 C.F.R. § 3.75(f) Housing facilities, general.

(f) Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that minimizes contamination and disease risk. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal wastes and water are rapidly eliminated and the animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed, and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump ponds, settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far enough away from the animal area of the housing facility to prevent odors, diseases, insects, pests, and vermin infestation. If drip or constant flow watering devices are used to provide water to the animals, excess water must be rapidly drained out of the animal areas by gutters or pipes so that the animals stay dry. Standing puddles of water in animal areas must be mopped up or drained so that the animals remain dry. Trash containers in housing facilities and in food storage and food preparation areas must be leakproof and must have tightly fitted lids on them at all times. Dead animals, animal parts, and animal waste must not be kept in food storage or food preparation areas, food freezers, food refrigerators, and animal areas.

CPRC failed to maintain drainage and waste disposal systems. On the above date, APHIS observed the drainage and waste disposal canals outside several primary enclosures were clogged with food waste and fecal material.

Date of Violation: August 15, 2012

9 C.F.R. § 2.131(b)(1) Handling of animals.

(b)(1) Handling of all animals shall be done as expeditiously and carefully as possible in a

manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort.

CPRC failed to handle nonhuman primates (NHP) in as careful a manner as possible. On the above date, APHIS observed several areas within the facility where padlocks and chains used to secure the secondary gates of the primary enclosures had been left unlocked and hanging on the gates.

Date of Violation: August 15, 2012

9 C.F.R. § 3.75(c)(1)(i) Housing facilities, general.

(c) Surfaces—(1) General requirements.

The surfaces of housing facilities—including perches, shelves, swings, boxes, houses, dens, and other furniture-type fixtures or objects within the facility— must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Furniture-type fixtures or objects must be sturdily constructed and must be strong enough to provide for the safe activity and welfare of nonhuman primates. Floors may be made of dirt, absorbent bedding, sand, gravel, grass, or other similar material that can be readily cleaned, or can be removed or replaced whenever cleaning does not eliminate odors, diseases, pests, insects, or vermin. Any surfaces that come in contact with nonhuman primates must:

(i) Be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface;

CPRC failed to maintain surfaces inside primary enclosures free from excessive rust. On the above date, APHIS noted multiple sliding doors and bolts holding enclosure partitions together to be excessively rusted.

Date of Violation: August 15, 2012

9 C.F.R. § 3.75(c)(2) Housing facilities, general.

(c) Surfaces—(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities—including houses, dens, and other furniture-type fixtures and objects within the facility—that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

CPRC failed to replace worn furniture-type fixtures within the facility. On the above date, APHIS observed multiple wood platforms inside the primary enclosures that were worn and in need of replacement.

Date of Violation: August 15, 2012

9 C.F.R. § 3.75(f) Housing facilities, general.

(f) Drainage and waste disposal. Housing facility operators must provide for regular and frequent collection, removal, and disposal of animal and food wastes, bedding, dead animals, debris, garbage, water, and any other fluids and wastes, in a manner that

minimizes contamination and disease risk. Housing facilities must be equipped with disposal facilities and drainage systems that are constructed and operated so that animal wastes and water are rapidly eliminated and the animals stay dry. Disposal and drainage systems must minimize vermin and pest infestation, insects, odors, and disease hazards. All drains must be properly constructed, installed, and maintained. If closed drainage systems are used, they must be equipped with traps and prevent the backflow of gases and the backup of sewage onto the floor. If the facility uses sump ponds, settlement ponds, or other similar systems for drainage and animal waste disposal, the system must be located far enough away from the animal area of the housing facility to prevent odors, diseases, insects, pests, and vermin infestation. If drip or constant flow watering devices are used to provide water to the animals, excess water must be rapidly drained out of the animal areas by gutters or pipes so that the animals stay dry. Standing puddles of water in animal areas must be mopped up or drained so that the animals remain dry. Trash containers in housing facilities and in food storage and food preparation areas must be leakproof and must have tightly fitted lids on them at all times. Dead animals, animal parts, and animal waste must not be kept in food storage or food preparation areas, food freezers, food refrigerators, and animal areas.

CPRC failed to maintain drainage and waste disposal systems. On the above date, APHIS observed the drainage and waste disposal canals outside several primary enclosures were clogged with food waste and fecal material.

Date of Violation: August 15, 2012

9 C.F.R. § 3.84(a) Cleaning, sanitization, housekeeping, and pest control.

(a) Cleaning of primary enclosures. Excreta and food waste must be removed from inside each indoor primary enclosure daily and from underneath them as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent the nonhuman primates from becoming soiled, and to reduce disease hazards, insects, pests, and odors. Dirt floors, floors with absorbent bedding, and planted areas in primary enclosures must be spot cleaned with sufficient frequency to ensure all animals the freedom to avoid contact with excreta, or as often as necessary to reduce disease hazards, insects, pests, and odors. When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, nonhuman primates must be removed, unless the enclosure is large enough to ensure the animals will not be harmed, wetted, or distressed in the process. Perches, bars, and shelves must be kept clean and replaced when worn. If the species of the nonhuman primates housed in the primary enclosure engages in scent marking, hard surfaces in the primary enclosure must be spot-cleaned daily.

CPRC failed to clean and sanitize inside primary enclosures as often as necessary to reduce disease hazards. On the above date, APHIS observed an accumulation of algae inside a primary enclosure.

Date of Violation: December 19, 2012

9 C.F.R. § 3.75(c)(1)(i) Housing facilities, general.

(c) Surfaces—(1) General requirements.

The surfaces of housing facilities—including perches, shelves, swings, boxes, houses, dens, and other furniture-type fixtures or objects within the facility— must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Furniture-type fixtures or objects must be sturdily constructed and must be strong enough to provide for the safe activity and welfare of nonhuman primates. Floors may be made of dirt, absorbent bedding, sand, gravel, grass, or other similar material that can be readily cleaned, or can be removed or replaced whenever cleaning does not eliminate odors, diseases, pests, insects, or vermin. Any surfaces that come in contact with nonhuman primates must:

(i) Be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface;

CPRC failed to maintain surfaces inside primary enclosures free from excessive rust. On the above date, APHIS noted multiple sliding doors and bolts holding enclosure partitions together to be excessively rusted.

Date of Violation: December 19, 2012

9 C.F.R. § 3.75(c)(2) Housing facilities, general.

(c) Surfaces—(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities—including houses, dens, and other furniture-type fixtures and objects within the facility—that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

CPRC failed to replace worn furniture-type fixtures within the facility. On the above date, APHIS observed multiple wood platforms inside the primary enclosures that were worn and in need of replacement.

Date of Violation: April 17, 2013

9 C.F.R. § 3.75(c)(1)(i) Housing facilities, general.

(c) Surfaces—(1) General requirements.

The surfaces of housing facilities—including perches, shelves, swings, boxes, houses, dens, and other furniture-type fixtures or objects within the facility— must be constructed in a manner and made of materials that allow them to be readily cleaned and sanitized, or removed or replaced when worn or soiled. Furniture-type fixtures or objects must be sturdily constructed and must be strong enough to provide for the safe activity and welfare of nonhuman primates. Floors may be made of dirt, absorbent bedding, sand, gravel, grass, or other similar material that can be readily cleaned, or can be removed or replaced whenever cleaning does not eliminate odors, diseases, pests, insects, or vermin. Any surfaces that come in contact with nonhuman primates must:

(i) Be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface;

CPRC failed to maintain surfaces inside primary enclosures free from excessive

rust. On the above date, APHIS noted multiple sliding doors and bolts holding enclosure partitions together to be excessively rusted.

Date of Violation: April 17, 2013

9 C.F.R. § 3.75(c)(2) Housing facilities, general.

(c) Surfaces—(2) Maintenance and replacement of surfaces. All surfaces must be maintained on a regular basis. Surfaces of housing facilities—including houses, dens, and other furniture-type fixtures and objects within the facility—that cannot be readily cleaned and sanitized, must be replaced when worn or soiled.

CPRC failed to replace worn furniture-type fixtures within the facility. On the above date, APHIS observed multiple wood platforms inside the primary enclosures that were worn and in need of replacement.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

APHIS OFFICIAL (Name):

Bernadette Juarez

OFFICE ADDRESS:4700 River Road, Unit 85
Riverdale, MD 20737**APHIS OFFICIAL (Title):**

Director, Investigative and Enforcement Services

DATE ISSUED:

11/7/2013

TELEPHONE NUMBER:

(301) 851-2948